

Article - Natural Resources

[\[Previous\]](#)[\[Next\]](#)

§8–707.

(a) There is a Waterway Improvement Fund for the purposes specified in this subtitle. Except as provided in § 8–709 of this subtitle, any money received into the Waterway Improvement Fund shall be used solely for the following projects:

(1) Marking channels and harbors and establishing aids to navigation in cooperation with and as an extension of operations of the United States Coast Guard;

(2) Clearing debris, aquatic vegetation, and obstruction from waters of the State;

(3) Dredging channels and harbors and construction of jetties and breakwaters in cooperation with and as an extension of operations of the United States Army Corps of Engineers;

(4) Dredging ponds, lakes, and reservoirs owned by the State;

(5) Constructing and maintaining marine facilities beneficial to the boating public, including constructing pump-out stations for use by the general boating public at public and private marinas. The Secretary may use the funds to install pump-out stations for use by the general boating public and to supplement maintenance costs at the discretion of the Secretary. Before approving the construction of any pump-out station at a public or private marina, the Secretary shall consult with the Department of the Environment to assure that the wastewater collection and treatment system of the marina is adequate to handle any increased flow. The Department may adopt regulations to govern the use and operation of pump-out stations for use by the general boating public constructed or supported by State funds under this section;

(6) Improvement, reconstruction, or removal of bridges, drawbridges, or similar structures over or across waters, if those structures delay, impede, or obstruct the boating public. With the approval of the Board of Public Works, funds from another public or any private source may be received and used to supplement and increase the funds in the Waterway Improvement Fund for the purpose of this subsection. Also, the Board of Public Works may enter into an agreement with a private company or person which owns such a structure, for the improvement, reconstruction, or removal of the structure, in order to provide a sharing of the cost of the improvement, reconstruction, or removal;

(7) Evaluation of water-oriented recreation needs and recreational capacities of Maryland waterways and development of comprehensive plans for waterway improvements;

(8) To provide matching grants to local governments for the construction of marine facilities for marine firefighting, marine police, or medical services and for the acquisition of vessels and equipment for vessels for marine firefighting, police, medical, and communication equipment for promoting safety of life and property and general service to the boating public utilizing the waters of the State. The ownership, operation, and maintenance of any equipment acquired under this subtitle shall be the responsibility of the local governing body;

(9) Structural and nonstructural shore erosion control under subsection (b) of this section;

(10) Acquisition of equipment and State vessels for firefighting, policing, first aid and medical assistance, and communications, in order to promote safety of life and property and general service to the boating public utilizing waters of the State;

(11) Boating information and education; and

(12) To provide interest-free loans to a governing body for the benefit of a residential property owner, or group of residential property owners, with land abutting a channel adjacent to a federal, State, county, or municipal main channel or harbor for dredging the adjacent channel.

(b) Money from the Waterway Improvement Fund may be appropriated for structural and nonstructural shore erosion control projects under Subtitle 10 of this title, provided that the funds appropriated:

(1) In any fiscal year do not exceed 15% of the total excise tax revenues, exclusive of loan repayments, attained by the Waterway Improvement Fund in the preceding fiscal year; and

(2) May only be expended for projects that address shoreline areas where:

(i) Significant erosion is being caused by a combination of boat traffic and other factors, including:

1. An exposed point of land or shore in a narrow creek or cove;

2. Shore composition of easily erodible soils;

3. A steep, seaward, near-shore slope; or

4. A high rate of boating traffic passing close to the shore;

(ii) The shoreline has the following characteristics:

1. Evidence of erosion is clearly visible; and

2. Proximity to navigable waters where dredging responsibility is not clearly accepted by the federal government; or

(iii) Erosion has been significantly increased due to the construction or replacement of public waterway improvement structures.

(c) (1) Funds specified under subsection (b) of this section may be appropriated in a lump sum for the general purpose of shore erosion control, without specifying individual projects pursuant to § 8–709(a) of this subtitle.

(2) By January 1 of each year, the Department shall issue a written report to the Senate Budget and Taxation Committee and the House Appropriations Committee that shall contain for each grant or loan made under subsection (b) of this section:

(i) The amount of each grant or loan;

(ii) The name and address of each recipient;

(iii) The location of the property for which the grant or loan was made; and

(iv) If the recipient is a corporation, the name of each officer of the corporation.

[\[Previous\]](#)[\[Next\]](#)